

ORIGINAL

AO 88 (Rev. 3/00) Subpoena in a Civil Case

United States District Court

DISTRICT OF HAWAII

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

SEP 07 2006

UNITED STATES OF AMERICA,

SUBPOENA at 8 o'clock and 40 min. M
SUE BEITIA, CLERK

v.

COURT NUMBER: 01-00112-001

ABIGAIL Q. PAULINO,

TO: Central Pacific Bank, Attn: Custodian of Records, 222 N. School St., 3rd Floor, Hon., HI 96817


☐ YOU ARE COMMANDED to appear at the place, date, and time specified below to testify at the taking of a deposition in the above case.

PLACE OF DEPOSITION	DATE AND TIME
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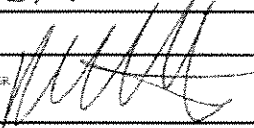
☒ YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects at the place, date, and time specified below.

LIST DOCUMENTS OR OBJECTS: All records, to include loan applications, pertaining to Abigail Q. Paulino, [REDACTED] Honolulu, Hawaii [REDACTED] Social Security Number [REDACTED]-8703, Date of Birth, [REDACTED]/73 from January 1, 2006 to the present. Alternatively, copies may be mailed to the address listed below. The existence of this subpoena should not be communicated to Abigail Q. Paulino.	
PLACE U.S. Attorney's Office Attention: Shari Hsieh 300 Ala Moana Blvd. Rm. 6-100 Honolulu, HI 96850	DATE AND TIME No later than Monday, September 25, 2006.

Any organization not a party to this suit that is subpoenaed for the taking of a deposition shall designate one or more officers, directors, or managing agents, or other persons who consent to testify on its behalf, and may set forth, for each person designated, the matters on which the person will testify. Federal Rules of Civil Procedure, 30(b)(6).

ISSUING OFFICER SIGNATURE & TITLE (INDICATE IF ATTORNEY FOR PLAINTIFF OR DEFENDANT) EDRIC M. CHING  Assistant U.S. Attorney, Attorney for the United States	DATE August 28, 2006
ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER EDRIC M. CHING, Assistant U.S. Attorney (808) 541-2850 U.S. Attorney's Office, 300 Ala Moana Blvd. Rm. 6-100, Honolulu, Hawaii 96850	

(See Rule 45, Federal Rules of Civil Procedure, Parts C & D on Reverse)

PROOF OF SERVICE		
SERVED	DATE 9-6-06	PLACE 222 SCHOOL ST HONOLULU, HI 96817
SERVED ON (PRINT NAME) LAUREN LEE Central Pacific Bank; Attn: Custodian of Records 222 N. School Street, 3rd Floor, Honolulu, HI 96817		MANNER OF SERVICE PERSON
SERVED BY (PRINT NAME) RUSSELL NAKAGATO		TITLE DUSM
DECLARATION OF SERVER		
I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Proof of Service is true and correct.		SIGNATURE OF SERVER 
Executed on 9-6-06 DATE		ADDRESS OF SERVER 300 ALA MOANA HONOLULU, HI 96850

Rule 45, Federal Rules of Civil Procedure, Parts C & D:

(c) PROTECTION OF PERSONS SUBJECT TO SUBPOENAS.

(1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena. The court on behalf of which the subpoena was issued shall enforce this duty and impose upon the party or attorney in breach of this duty an appropriate sanction, which may include, but is not limited to, lost earnings and a reasonable attorney's fee.

(2)(A) A person commanded to produce and permit inspection and copying of designated books, papers, documents or tangible things, or inspection of premises need not appear in person at the place of production or inspection unless commanded to appear for deposition, hearing or trial.

(B) Subject to paragraph (d)(2) of this rule, a person commanded to produce and permit inspection and copying may, within 14 days after service of the subpoena or before the time specified for compliance if such time is less than 14 days after service, serve upon the party or attorney designated in the subpoena written objection to inspection or copying of any or all of the designated material or of the premises. If objection is made, the party serving the subpoena shall not be entitled to inspect and copy the materials or inspect the premises except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce, move at any time for an order to compel the production. Such an order to compel production shall protect any person who is not a party or an officer of a party from significant expense resulting from the inspection and copying commanded.

(3)(A) On a timely motion, the court by which a subpoena was issued shall quash or modify the subpoena if it

- (i) fails to allow reasonable time for compliance;
- (ii) requires a person who is not a party or an officer of a party to travel to a place more than 100 miles from the place where that person resides, is employed or regularly transacts business in person, except that subject to the provisions of clause (c)(3)(B)(iii) of this rule, such a person may in order to attend trial be commanded to travel from any such place within the state in which the trial is held, or
- (iii) requires disclosure of privileged or other protected matter and no exception or waiver applies, or
- (iv) subjects a person to undue burden.

(B) If a subpoena

- (i) requires disclosure of a trade secret or other confidential research, development, or commercial information, or
- (ii) requires disclosure of an unretained expert's opinion or information not describing specific events or occurrences in dispute and resulting from the expert's study made not at the request of any party, or
- (iii) requires a person which is not a party or an officer of a party to incur substantial expense to travel more than 100 miles to

attend trial, the court may, to protect a person subject to or affected by the subpoena, quash or modify the subpoena or, if the party in whose behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated, the court may order appearance or production only upon specified conditions.

(d) DUTIES IN RESPONDING TO SUBPOENA.

(1) A person responding to a subpoena to produce documents shall produce them as they are kept in the usual course of business or shall organize them to correspond with the categories in the demand.

(2) When information subject to a subpoena is withheld on a claim that it is privileged or subject to protection as trial preparation materials, the claim shall be made expressly and shall be supported by a description of the nature of the documents, communications, or things not produced that is sufficient to enable the demanding party to contest the claim.

U.S. Department of Justice
United States Marshals Service

PROCESS RECEIPT AND RETURN

See Instructions for "Service of Process by the U.S. Marshal" on the reverse of this form.

PLAINTIFF United States of America	COURT CASE NUMBER Cr. No. 01-00112-001
DEFENDANT Abigail Q. Paulino	TYPE OF PROCESS Subpoena Duces Tecum

SERVE ➡ AT	NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC., TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN Central Pacific Bank, Attn: Custodian of Records
	ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code) 222 N. School Street, 3rd Floor Honolulu, HI 96817

SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW: U.S. Attorney's Office Attn: Financial Litigation Unit 300 Ala Moana Blvd. Rm. 6-100 Honolulu, HI 96850	Number of process to be served with this Form - 285	1
	Number of parties to be served in this case	1
	Check for service on U.S.A.	1

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available For Service):
Fold

Signature of Attorney or other Originator requesting service on behalf of: Shari Hsieh <i>Shari Hsieh</i>	<input checked="" type="checkbox"/> PLAINTIFF <input type="checkbox"/> DEFENDANT	TELEPHONE NUMBER (808) 440-9288	DATE 8/30/06
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SPACE BELOW FOR USE OF U.S. MARSHAL ONLY — DO NOT WRITE BELOW THIS LINE

I acknowledge receipt for the total number of process indicated. (Sign only first USM 285 if more than one USM 285 is submitted)	Total Process 1	District of Origin No. 22	District to Serve No. 22	Signature of Authorized USMS Deputy or Clerk <i>[Signature]</i>	Date 8/30/06
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I hereby certify and return that ☒ I have personally served, ☐ I have legal evidence of service, ☐ I have executed as shown in "Remarks", the process described on the individual, company, corporation, etc., at the address shown above or on the individual, company, corporation, etc., shown at the address inserted below.

☐ I hereby certify and return that I am unable to locate the individual, company, corporation, etc., named above (See remarks below)

Name and title of individual served (if not shown above) LAUREEN LEE OPERATIONS ASSISTANT	<input type="checkbox"/> A person of suitable age and discretion then residing in the defendant's usual place of abode.
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Address (complete only if different than shown above)	Date of Service 9-6-06	Time 12:15 PM	Signature of U.S. Marshal or Deputy <i>[Signature]</i>
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Service Fee	Total Mileage Charges (including endeavors)	Forwarding Fee	Total Charges	Advance Deposits	Amount owed to U.S. Marshal or	Amount of Refund
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REMARKS:

9-6-06/12:15PM, 1 DUSM, 5 MILES RT. Real